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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:11-CR-095-LRH (VPC)
11 JOHN LEWIS DEVENCENZI,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on August 23, 2012, defendant JOHN LEWIS DEVENCENZI pled guilty
15 to Counts Two and Three of a Three-Count Criminal Indictment charging him in Count Two with
16 Use of a Firearm During and in Relation to a Crime of Violence, in violation of Title 18, United
17 States Code, Section 2119, and in Count Three with Possession of a Firearm by a Convicted Felon,
18 in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Change
19 of Plea, ECF No. 18; Plea Memorandum, ECF No. 19.

20 This Court finds defendant JOHN LEWIS DEVENCENZI agreed to the forfeiture of the
21 property set forth in Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1;
22 Change of Plea, ECF No. 18; Plea Memorandum, ECF No. 19

23 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
24 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the
25 Criminal Indictment and the offense to which defendant JOHN LEWIS DEVENCENZI pled
26 guilty.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 924(d)(1) and Title 28, United States Code, Section 2461(c):

3 1. a Winchester, model 1200, .12 gauge shotgun, serial number 313072; and
4 2. any and all ammunition ("property").

5 This Court finds the United States of America is now entitled to, and should, reduce the
6 aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
8 United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
10 JOHN LEWIS DEVENCENZI in the aforementioned property is forfeited and is vested in the
11 United States of America and shall be safely held by the United States of America until further
12 order of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
14 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
15 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
16 the time under the applicable statute when a petition contesting the forfeiture must be filed, and
17 state the name and contact information for the government attorney to be served with the petition,
18 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
20 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
21 Virginia Street, 3rd Floor, Reno, NV 89501.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
23 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
24 following address at the time of filing:

25 ...

26 ...

1 Greg Addington
2 Assistant United States Attorney
3 100 West Liberty Street, Suite 600
4 Reno, NV 89501
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7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
8 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
9 following publication of notice of seizure and intent to administratively forfeit the above-described
10 property.

11 DATED this 6th day of September, 2012.



12 LARRY R. HICKS
13 UNITED STATES DISTRICT JUDGE
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